4/18/83 DRAINAGE & UTILITY EASEMENT
VACATION
Lots 1 and 2, Blk 1, Crosstown Hills

DORSEY & WHITNEY

A Partnership Including Professional Corporations

2200 FIRST BANK PLACE EAST MINNEAPOLIS, MINNESOTA 55402 (612) 340-2600

TELEX: 29-0605 TELECOPIER: (612) 340-2868 201 DAVIDSON BUILDING 8 THIRD STREET NORTH GREAT FALLS, MONTANA 59401 (406) 727-3632

SUITE 675 NORTH 1800 M STREET N.W. WASHINGTON, D. C. 20036 (202) 955-1050

30 RUE LA BOËTIE 75008 PARIS, FRANCE 011 331 562 32 50

5IO NORTH CENTRAL LIFE TOWER 445 MINNESOTA STREET ST. PAUL, MINNESOTA 55IOI (6I2) 227-80I7

P. O. BOX 848 340 FIRST NATIONAL BANK BUILDING ROCHESTER, MINNESOTA 55903 (507) 288-3156

312 FIRST NATIONAL BANK BUILDING WAYZATA, MINNESOTA 55391 (612) 475-0373

THOMAS S. ERICKSON, P. A. (612) 340-2659

July 9, 1984

Ms. Marcella Daehn City of Edina 4801 West 50 Street Edina, Minnesota 55424

Re: Notice of Completion of Proceedings on Vacation of Easement for Drainage and Utility Purposes (Lots 1 and 2, Block 1, Crosstown Hill)

Dear Marce:

I enclose for your records a copy of the above recorded document, filed with the Office of County Registrar, Hennepin County, Minnesota, on January 9, 1984 as Document No. 1555618.

Very truly yours

Secretary to Thomas S. Erickson

enclosure





**4801 WEST 50TH STREET, EDINA, MINNESOTA 55424 612-927-8861** 

## NOTICE OF COMPLETION OF PROCEEDINGS ON VACATION OF EASEMENT FOR DRAINAGE AND UTILITY PURPOSES IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on April 18, 1983, adopted a Resolution Vacating Easement for Drainage and Utility Purposes, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easement vacation be made, which resolution ordered the vacation of the following described easement for drainage and utility purposes, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

All of the 5 foot wide drainage and utility easement within Lots 1 and 2, Block 1, Crosstown Hill, lying Southeasterly of the 10 foot wide drainage and utility easement lying parallel with and abutting the Northwesterly line of said Lots 1 and 2.

The time of completion of proceedings and the effective date of said vacation is December 12, 1983.

BY ORDER OF THE CITY COUNCIL, CITY OF EDINA

Marulla M. Ducha

Marcella M. Daehn

City Clerk

TRANSFER ENTERED BEPARTMENT OF PROPERTY TAXATION

JAN 9 1984

HENNETSIN COUNTY MINN

OFFICE OF THE REGISTRAR
OF TITLES
HENNEPIN COUNTY. MINNESOTA
CERTIFIED FILED ON JAN 9 - 1984

has the King United

vacated to maintain, repair, replace, remove, or otherwise attend thereto; NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described portion of the utility easement be and is vacated effective upon receipt of new utility easement, in recordable form, duly executed and delivered without cost to the City of Edina:

All of the 5 foot wide drainage and utility easement within Lots 1 and 2, Block 1, Crosstown Hill, lying Southeasterly of the 10 foot wide drainage and utility easement lying parallel with and abutting the Northwesterly line of said Lots 1 and 2

and that the City Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the Register of Deeds, in accordance with Minnesota Statutes, Section 412.851.

Motion for adoption of the resolution was seconded by Member Schmidt. Rollcall:

Ayes: Bredesen, Richards, Schmidt, Turner, Courtney

Nays: None

Resolution adopted.

BIDS AWARDED FOR VARIOUS PUBLIC IMPROVEMENTS (CONTRACT #83-1). Mr. Rosland presented tabulation of bids for Street Improvements Nos. BA-256, BA-257 and BA-258 showing Asphalt Paving Materials low bidder at \$92,934.50; Midwest Paving & Re-Cycling at \$94,783.25; Victor Carlson & Sons, Inc. at \$99,875.20; Bury & Carlson, Inc. at \$101,316.59; Valley Paving, Inc. at \$106;333.08; Bituminous Roadways, Inc. at \$111,023.10; Barber Construction Company at \$115,462.58; Minn-Kota Excavating at \$140,944.00, against Engineer's estimate of \$113,106.70. Member Turner's motion was seconded by Member Bredesen for award to recommended low bidder, Asphalt Paving Materials at \$92,934.50.

Ayes: Bredesen, Richards, Schmidt, Turner, Courtney

Nays: None Motion carried.

BID AWARDED FOR CONCRETE ALLEY PAVING (CONTRACT #83-2). Mr. Rosland presented tabulation of bids for Concrete Alley Paving No. E-31 showing Standard Sidewalk, Inc. low bidder at \$22,462.50; Concrete Curb Company at \$24,001.00; Victor Carlson & Sons, Inc. at \$24,247.25; Midwest Paving & Re-cycling at \$24,746.25; Minn-Kota Excavating at \$31,670.00; U.S. Masonry & Concrete at \$34,058.75, against Engineer's estimate of \$24,494.75. Member Schmidt's motion was seconded by Member Turner for award to recommended low bidder, Standard Sidewalk, Inc. at \$22,462.50.

Ayes: Bredesen, Richards, Schmidt, Turner, Courtney

Nays: None Motion carried.

LEWIS PARK LIGHTING AWARD OF BID CONTINUED TO 5/2/83. As recommended by Mr. Rosland, award of bid for Lewis Park Lighting was continued to May 2, 1983, by motion of Member Schmidt, seconded by Member Turner.

Ayes: Bredesen, Richards, Schmidt, Turner, Courtney

Nays: None

Motion carried.

AWARD OF BID FOR PICK-UP TRUCKS CONTINUED TO 5/2/83. As recommended by Mr. Rosland award of bid for Pick-Up Trucks was continued to May 2, 1983, by motion of Member Schmidt, seconded by Member Turner.

Ayes: Bredesen, Richards, Schmidt, Turner, Courtney Nays: None

Motion carried.

TRAFFIC SAFETY COMMITTEE MINUTES OF APRIL 12, 1983, REVIEWED. Member Bredesen's motion was seconded by Member Schmidt to approve the following recommendations:

- 1) That "NO PARKING ANYTIME" signs be erected on the south side of the 6000 block of Pine Grove Road,
- 2) The installation of "YIELD" signs on Willow Wood Road at its intersection with Larada Lane.
- 3) To install a "NO LEFT TURN" sign controlling westbound traffic at the south
- interestion of Southdale Circle at York Avenue South,
  4) Approval of "NO PARKING ANYTIME" signs on the south side of Southview Lane adjacent to Southview Junior High School;

and also acceptance of Section B and acknowledgement of Section C of the Minutes.

Ayes: Bredesen, Richards, Schmidt, Turner, Courtney

Nays: None

Motion carried.

Bredesen, Richards, Schmidt, Turner, Courtney

Nays: None Motion carried.

TARGET STORES/YORKTOWN DEED RESTRICTION DISCUSSED. Mr. Hughes presented the request Target Stores/Yorktown for release of certain deed restrictions and amendment of grant of easement for Lot 1, Block 2, Yorktown, so as to permit a parking area to be constructed and maintained adjacent and contiguous to the south side of the existing building. He recalled that Declaration of Restrictions as well as the Grant of Easement had been executed and recorded in 1972 when the Target store was constructed to insure setbacks of parking areas and driveways and to limit curb cuts, and that the City had required similar restrictions and easements throughout the Yorktown area. Mr. Hughes explained that the request is made to allow elimination of the parcel pickup adjacent to the space vacated by Applebaums, to relocate the curb cut for driveway westerly and to provide parking on the south side of the building if needed for potential retail shops who may be interested in leasing the vacant space. In staff's review of the plans as well as an inspection of the site, it was concluded that the present driveway location and alignment appears superior to that which is proposed. Staff's criticisms are 1) sight distance is reduced for exiting vehicles relative to eastbound Hazelton traffic, 2) traffic entering the south driveway destined to the new parking spaces which are forced to wait for exiting vehicles, may create a backup onto Hazelton, and 3) it seems that the new driveway location would contribute to a speeding problem in front of the store. From a traffic circulation and channelization standpoint, no particular advantages of the new plan could be identified, nor could the need for additional parking spaces. Staff feels the parking issue could best be evaluated in light of a specific re-use of the Applebaum site and that Target's request is premature. Present were Thomas Bonneville and Darrell Creamer, representing Target Stores, and Jack Rice, who is working to re-lease the vacant space. Mr. Bonneville explained that the request for release of the restrictions is being made because the present arrangement for parcel pickup at the Applebaum location is confusing and the proposed plans would improve traffic flow on the site. Mr. Rice pointed out that it is unlikely that the vacated space could be leased to a business requiring that amount of space and that it probably will be leased to four to six retail shops who would like parking in front of their stores. Mr. Rice stated that Target Stores would like a concensus from Council that the deed restrictions would be amended if the vacant space is leased to small retail shops. Attorney Erickson advised that if the deed restrictions are amended the City relinquishes its control over any proposed parking area changes. He further indicated that the proposed resolution was very general in nature and should be made more specific. Mr. Rosland stated that any legal costs incurred in redrafting the resolution should be paid by Target Stores. Member Turner questioned if small retail shops were an appropriate re-use, and if so she would support such re-use. Mr. Hughes responsed that it would be a proper re-use. Member Schmidt indicated she felt the proposed resolution should be reworded to make it specific. It was then agreed that the general consensus of Council would be to respond to needs of such re-use for the vacated Applebaum space. No formal action was taken.

CROSSTOWN HILL, LOTS 1 AND 2, DRAINAGE AND UTILITY EASEMENT VACATION GRANTED. Stuart Fraser Mr. Hughes presented the petition of Pearson/Elmer Townhouses for vacation of drainage and utility easement within Lots 1 and 2, Block 1, Crosstown Hill to allow construction of a 5-unit townhouse project. He noted that Northern States Power Company has approved the vacation conditionally subject to the granting of new easements for utility purposes being placed of record. Staff has no objections to the easement vacation. No objections being heard, Member Bredesen offered the following resolution and moved its adoption:

941-5423

RESOLUTION VACATING

#### EASEMENT FOR DRAINAGE AND UTILITY PURPOSES

WHEREAS, a resolution of the City Council, adopted the 21st day of March, 1983, fixed a date for a public hearing on a proposed vacation of easement for drainage and utility purposes; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 18th day of April, 1983, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said easement vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such easement area or portion thereof



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424 612-927-8861

December 14, 1983

Thomas S. Erickson, P.A. Dorsey and Whitney 2200 First Bank Place East Edina, MN 55403

Re: Drainage and Utility Easement Vacation Lots 1 and 2, Block 1, Crosstown Hills

Dear Tom:

Enclosed are two copies of Notice of Completion of Proceedings on vacation of easement referenced above. Will you please see that this document is filed? One copy is for your records.

The easement vacation was granted subject to receipt of new utility easement as requested by Northern States Power Company. I am enclosing a copy of a letter from Northern States Power Company withdrawing their original opposition to the vacation in which they advise they have worked with the developers and have arrived at a different route for serving the area.

Yours truly,

Marcella M. Daehn

Marula M. Dach

City Clerk

enclosures (3)



### NOTICE OF COMPLETION OF PROCEEDINGS ON VACATION OF EASEMENT FOR DRAINAGE AND UTILITY PURPOSES IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

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All of the 5 foot wide drainage and utility easement within Lots 1 and 2, Block 1, Crosstown Hill, lying Southeasterly of the 10 foot wide drainage and utility easement lying parallel with and abutting the Northwesterly line of said Lots 1 and 2.

The time of completion of proceedings and the effective date of said vacation is December 12. 1983.

BY ORDER OF THE CITY COUNCIL, CITY OF EDINA

Marcella M. Daehn

Moulla M. Dach

City Clerk

## NOTICE OF COMPLETION OF PROCEEDINGS ON VACATION OF EASEMENT FOR DRAINAGE AND UTILITY PURPOSES IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

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All of the 5 foot wide drainage and utility easement within Lots 1 and 2, Block 1, Crosstown Hill, lying Southeasterly of the 10 foot wide drainage and utility easement lying parallel with and abutting the Northwesterly line of said Lots 1 and 2.

The time of completion of proceedings and the effective date of said vacation is December 12, 1983.

BY ORDER OF THE CITY COUNCIL, CITY OF EDINA

Marcella M. Daehn City Clerk





**Northern States Power Company** 

Normandale Division

5309 West 70th Street Edina, Minnesota 55435 Telephone (612) 941-2992

December 12, 1983

Marcella Daehn City of Edina 4801 W. 50th St. Edina, Mn 55424

Dear Marcella,

Some time ago we expressed our opposition to a vacation request between Lots 1 and 2 in Crosstown Hill Addition. At that time we needed that easement area for the extension of our distribution facilities.

Since that time, however, we have worked with the developers and arrived at a different route for serving the area.

Please accept this letter as a withdrawal of our original opposition to the vacation. Northern States Power now has no objection to the City proceeding with the granting of the vacation papers.

Sincerely,

S.E. Fraser

Staff Assistant

& G. Fraser

SEF/st

c: Dick Mullen

	4-18-83 Council Meeting
· · · · · · · · · · · · · · · · · · ·	Drainage / Utility Easement Vacation
	Drainage / Utility Easement Vacation.  Crosstown Hill, Lots I and 2, BIK-1
	Pearson / Elmer Town houses
	Book 45 p 262
	Per Tom Erickson
	Hold until new utility easement recorded + returned
.A	Contified Come of Minister - to Complete Proceedings
	(extified Copy of Mointer - to Complete Proceedings should delete part about "subject to"
	5-16-83 - Easement Vacation Confirmed Book-45" p-286
	5-16-83 - Easement Vacation (on termed p-286

#### CITY OF EDINA 4801 W. 50TH STREET EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARINGS
ON VACATION OF EASEMENT FOR ROAD AND UTILITY PURPOSES
FOR PORTION OF AMUNDSON ROAD
AND

DRAINAGE AND UTILITY EASEMENT WITHIN LOTS 1 AND 2, BLOCK 1, CROSSTOWN HILL

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City, Hall, 4801 W. 50th St., on April 18, 1983, at 7:00 p.m., for the purpose of holding public hearings on each of the proposed vacations of the following easements for utility and road purposes and for drainage and utility purposes described as follows:

That part of the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 116, Range 21, described as follows: Beginning at the Southwest corner of Lot 1, Block 1, Braemar Oaks; thence Southwesterly at an angle of 106° 49' 58" as turned clockwise from the South line of said Lot 1 to an intersection with a line 818 feet Northerly of and parallel with the South line of said Southwest 1/4 of the Northeast 1/4; thence West a distance of 62.69 feet; thence Northeasterly to the Southeast corner of Outlot A, Braemar Oaks; thence Easterly to the point of beginning. All according to the United States Government survey, and to the recorded plat, Hennepin County (for road and utility purposes);

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All of the 5 foot wide drainage and utility easement within Lots 1 and 2, Block 1, Crosstown Hill, lying Southeasterly of the 10 foot wide drainage and utility easement lying parallel with and abutting the Northwesterly line of said Lots 1 and 2 (drainage and utility purposes);

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacations are in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacations affect existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continued.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg City Clerk

(Official Publication)
CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARINGS ON VACATION OF EASEMENT FOR ROAD AND UTILITY PURPOSES FOR PORTION OF AMUNDSON ROAD

AND

DRAINAGE AND UTILITY EASEMENT WITHIN LOTS 1 AND 2, BLOCK 1, CROSSTOWN HILL

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th St., on May 16, 1983, at 7:00 p.m., for the purpose of holding public hearings on each of the proposed vacations of the following easements for utility and road purposes and for drainage and utility purposes described as follows:

That part of the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 116, Range 21, described as follows: Beginning at the Southwest corner of Lot 1, Block 1, Braemar Oaks; thence Southwesterly at an angle of 106° 49' 58" as turned clockwise from the South line of said Lot 1 to an intersection with a line 818 feet Northerly of and parallel with the South line of said Southwest 1/4 of the Northeast 1/4; thence West a distance of 62.69 feet; thence Northeasterly to the Southeast corner of Outlot A, Braemar Oaks; thence Easterly to the point of beginning. All according to the United States Government survey, and to the recorded plat, Hennepin County (for road and utility purposes); and

All of the 5 foot wide drainage and utility easement within Lots 1 and 2, Block 1, Crosstown Hill, lying Southeasterly of the 10 foot wide drainage and utility easement lying parallel with and abutting the Northwesterly line of said Lots 1 and 2 (drainage and utility purposes);

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacations are in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacations affect existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continued.

BY ORDER OF THE EDINA CITY COUNCIL

Florence B. Norback City Clerk

Please publish in the Edina Sun on April 27 and May 4, 1983. Please send us four Affidavits of Publication.

(Official Publication)
CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARINGS
ON VACATION OF EASEMENT FOR ROAD AND UTILITY PURPOSES
FOR PORTION OF AMUNDSON ROAD
AND

DRAINAGE AND UTILITY EASEMENT WITHIN LOTS 1 AND 2, BLOCK 1, CROSSTOWN HILL

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th St., on April 18, 1983, at 7:00 p.m., for the purpose of holding public hearings on each of the proposed vacations of the following easements for utility and road purposes and for drainage and utility purposes described as follows:

That part of the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 116, Range 21, described as follows: Beginning at the Southwest corner of Lot 1, Block 1, Braemar Oaks; thence Southwesterly at an angle of 106° 49' 58" as turned clockwise from the South line of said Lot 1 to an intersection with a line 818 feet Northerly of and parallel with the South line of said Southwest 1/4 of the Northeast 1/4; thence West a distance of 62.69 feet; thence Northeasterly to the Southeast corner of Outlot A, Braemar Oaks; thence Easterly to the point of beginning. All according to the United States Government survey, and to the recorded plat, Hennepin County (for road and utility purposes); and

All of the 5 foot wide drainage and utility easement within Lots 1 and 2, Block 1, Crosstown Hill, lying Southeasterly of the 10 foot wide drainage and utility easement lying parallel with and abutting the Northwesterly line of said Lots 1 and 2 (drainage and utility purposes);

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacations are in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacations affect existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continued.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg City Clerk

Please publish in the Edina Sun on March 30, 1983. Please send us four Affidavits of Publication.



### AFFIDAVIT OF PUBLICATION **EDINA SUN**

7401 Bush Lake Road

Edina, Minnesota

State of Minnesota **County of Hennepin** 

D. K. MORTENSON, being duly sworn, on oath says he is and during all times here stated has been the vice president and general manager of the newspaper know as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once every week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisement. (4) Said newspaper is circulated in and near the municipalities which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Edina in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper is made available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making the applicable payment. (8) Said newspaper has complied with all foregoing conditions for at least one year preceding the day or dates of publication mentioned below. (9 D. K. MORTENSON, being duly sworn, on oath says he is and during all times here stated has been the legal newspaper.

(Official Publication)
CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 5544
NOTICE OFPUBLIC HEARINGS
ON VACATION OF EASEMENT
FOR ROAD AND UTILITY
PURPOSES FOR PORTION OF
AMUNDSON ROAD
AND
DRAINAGE AND UTILITY
EASEMENT WITHIN LOTS 1 AND 2,
BLOCK 1, CROSSTOWN HILL
NOTICE IS HEREBY GIVEN that
the City Council of the City of Edina,
Hennepin County, Minnesota, will
meet at the Edina City Hall, 4801 W.
50th St., on May 16, 1983, at 7:00 p.m.,
for the purpose of holding public
hearings on each of the proposed
vacations of the following easements
for utility and road purposes and for
drainage and utility purposes described as follows:
That part of the Southwest ¼ of
the Northeast ¼ of Section 8,
Township 116, Range 21, described as follows: Beginning at
Southwest corner of Lot 1, Block
1, Braemar Oaks; thence Southwesterly at an angle of 106° 49'
58" as turned clockwise from the
South line of said Lot 1 to an
intersection with a line 818 feet
Northearly of and parallel with the
South line of said Southwest ¼ of
the Northeast ¼; thence West a
distance of 62,69 feet; thence
Northeasterly to the Southeast
corner of Outlot A, Braemar
Oaks; thence Easterly to the
point of beginning. All according
to the United States Government
survey, and to the recorded plat,
Hennepin County (for road and
utility purposes); and
All of the 5 foot wide drainage
and utility easement lying parallel with and
abutting the Northwesterly line
of said Lots 1 and 2 (drainage and
utility purposes); and
All of the 3 foot wide drainage and
utility purposes); and
heard at said time and place. The
council shall consider the extent to
which such proposed easement
vacations are in the public interest and should be made shall be
heard at said time and place. The
Council shall consider the extent to
which such proposed easement
vacation, to continue maintaining the
same or to enter upon such easement
area or portion thereof vacation and
the extent to which the vacation affects the authority of any person,
corporation, or municipality owning
o

He further states on oath that the printed Notice of Public Hearings hereto attached as a part hereof was cut from the columns of said newspaper, and was printed
and published therein in the English language, once each week, for two successive weeks;
that it was first so published on Wed the 27 day of April , 19 83
and was thereafter printed and published on every Wednesday to and including
Wed the 4 day of May, 19 83 and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:  abcdefghijklmnopqrstuvwxyz
Subscribed and sworn to before me this 5 day of May , 19 83
MERIDEL M. HEDBLOM  NOTARY PUBLIC - MINNESOTA  HENNEPIN COUNTY  My commission expires July 2, 1986



### AFFIDAVIT OF PUBLICATION **EDINA SUN**

7401 Bush Lake Road

Edina, Minnesota

State of Minnesota **County of Hennepin** 

D. K. MORTENSON, being duly sworn, on oath says he is and during all times here stated has been the vice president and general manager of the newspaper know as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once every week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisement. (4) Said newspaper is circulated in and near the municipalities which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Edina in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper is made available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making the applicable payment. (8) Said newspaper has complied with all foregoing conditions for at least one year preceding the day or dates of publication mentioned below. (9) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter and affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper i legal newspaper.

(Official Publication)
A801 W. 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARINGS
ON VACATION OF EASEMENT
FOR ROAD AND UTILITY
PURPOSES FOR PORTION OF
AMUNDSON ROAD
AND
DRAINAGE AND UTILITY
EASEMENT WITHIN LOTS 1 AND 2,
BLOCK 1, CROSSTOWN HILL
NOTICE IS HEREBY GIVEN that
the City Council of the City of Edina,
Hennepin County, Minnesota, will
meet at the Edina City Hall, 4801 W.
50th St., on May 16, 1983, at 7:00 p.m.,
for the purpose of holding, public
hearings on each of the proposed
vacations of the following easements
for utility and road purposes and for
drainage and utility purposes described as follows: Beginning at
Southwest corner of Lot 1, Block
1, Braemar Oaks; thence Southwesterly at an angle of 106° 49'
58" as turned clockwise from the
South line of said Lot 1 to an
intersection with a line 818 feet
Northearly of and parallel with the
South line of said Southwest ¼ of
the Northeast ¼; thence West a
distance of 62.69 feet; thence
Northeasterly to the Southeast
corner of Outlot A, Braemar
Oaks; thence Easterly to the
point of beginning. All according
to the United States Government
survey, and to the recorded plat,
Hennepin County (for road and
utility purposes); and
All of the 5 foot wide drainage
and utility easement within Lots 1
and 2, Block 1, Crosstown Hill,
lying Southeasterly of the 10 foot
wide drainage and utility easement lying parallel with and
abutting the Northwesterly line
of said Lots 1 and 2 (drainage and
utility purposes);
All persons who desire fo be heard
with respect to the question of whether or not the above proposed easement vacations are in the public interest and should be made shall be
heard at said time and place. The
Council shall consider the extent to
which such proposed easement vacations affect existing easements within
the area of the proposed vacation and
the extent to which the vacation affects the authority of any person,
corporation, or municipality owning
or controlling electric or telephone
poles and lines, gas and sewer lines,
or water

He further states on oath that the printed Notice of Public Hearings
hereto attached as a part hereof was cut from the columns of said newspaper, and was printed
and published therein in the English language, once each week, for two successive weeks;
that it was first so published on Wed the 27 day of April 1983
and was thereafter printed and published on every Wednesday to and including
Wed the 4 day of May, 19 83 and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:  abcdefghijkImnopqrstuvwxyz
O. M. Moranso-
Subscribed and sworn to before me this 5 day of May 19 83
Meridel Weddlen
MERIDEL M. HEDBLOM
MOTARY PUBLIC - MINNESOTA HENNEPIN COUNTY
Att. assumination comings like 3 1994

(Official Publication)

CITY OF EDINA 4801 W. 50TH STREET EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARINGS
ON VACATION OF EASEMENT FOR ROAD AND UTILITY PURPOSES
FOR PORTION OF AMUNDSON ROAD
AND

DRAINAGE AND UTILITY EASEMENT WITHIN LOTS 1 AND 2, BLOCK 1, CROSSTOWN HILL

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th St., on April 18, 1983, at 7:00 p.m., for the purpose of holding public hearings on each of the proposed vacations of the following easements for utility and road purposes and for drainage and utility purposes described as follows:

That part of the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 116, Range 21, described as follows: Beginning at the Southwest corner of Lot 1, Block 1, Braemar Oaks; thence Southwesterly at an angle of 106° 49' 58" as turned clockwise from the South line of said Lot 1 to an intersection with a line 818 feet Northerly of and parallel with the South line of said Southwest 1/4 of the Northeast 1/4; thence West a distance of 62.69 feet; thence Northeasterly to the Southeast corner of Outlot A, Braemar Oaks; thence Easterly to the point of beginning. All according to the United States Government survey, and to the recorded plat, Hennepin County (for road and utility purposes); and

All of the 5 foot wide drainage and utility easement within Lots 1 and 2, Block 1, Crosstown Hill, lying Southeasterly of the 10 foot wide drainage and utility easement lying parallel with and abutting the Northwesterly line of said Lots 1 and 2 (drainage and utility purposes);

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacations are in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacations affect existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continued.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg City Clerk

# Easement Vacation

All of the 5 foot wide drainage and utility easement within 18th I and 2, Block I, Crosstown Hill lying southeasterly of the 10 foot wide drainage and utility easement wing paraller with and about tine the Northwesterly line of 5217 lots I and 2.

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By BOL OK HED

#### STREET AND/OR EASEMENT VACATION REVIEW

ITY ENGINEER by Acceptable Opposed Conditional
ONDITIONS
INNEGASCO by Acceptable Opposed Conditional
ONDITIONS
ORTHWESTERN BELL by Acceptable Opposed Conditional
ONDITIONS
S.P. by S. E. Frank Acceptable Opposed Conditional
CONDITIONS subject to the granting of new easements on the new
OCATION CROSSTOWN HILL

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

4-7-83 CC Fren Hoffman

#### CITY OF EDINA 4801 W. 50TH STREET EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARINGS
ON VACATION OF EASEMENT FOR ROAD AND UTILITY.PURPOSES
FOR PORTION OF AMUNDSON ROAD
AND

DRAINAGE AND UTILITY EASEMENT WITHIN LOTS 1 AND 2, BLOCK 1, CROSSTOWN HILL

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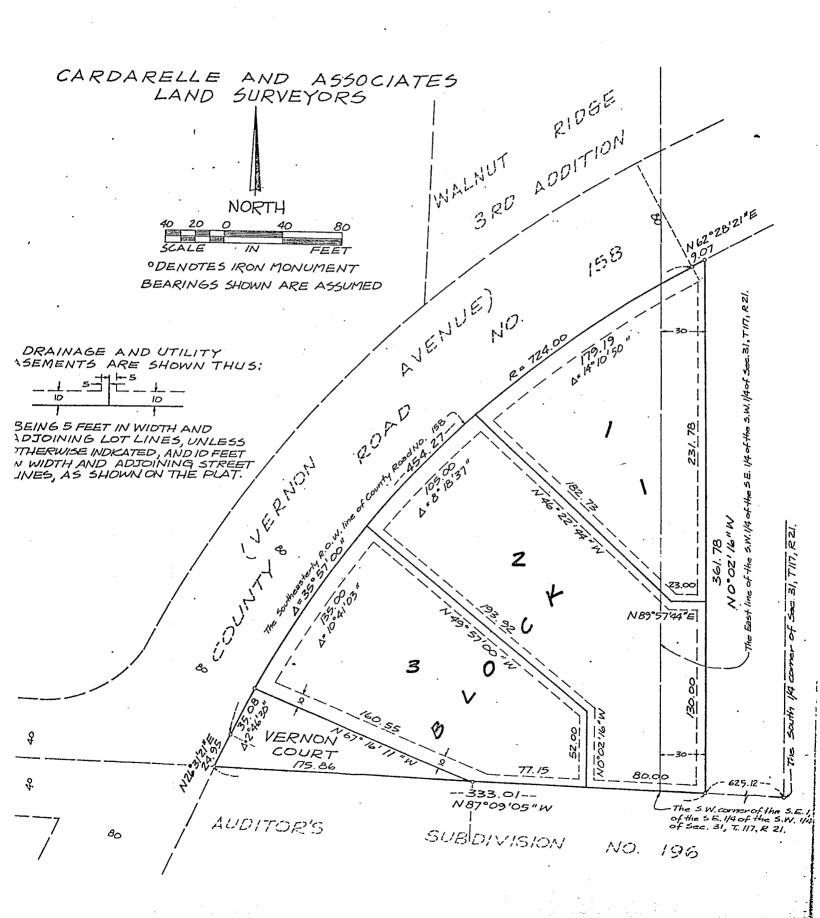
All of the 5 foot wide drainage and utility easement within Lots 1 and 2, Block 1, Crosstown Hill, lying Southeasterly of the 10 foot wide drainage and utility easement lying parallel with and abutting the Northwesterly line of said Lots 1 and 2 (drainage and utility purposes);

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacations are in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacations affect existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continued.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg City Clerk

### CROSSTOWN HILL



#### STREET AND/OR EASEMENT VACATION REVIEW

CONDITIONS  MINNEGASCO by Acceptable Opposed Conditional  CONDITIONS  NORTHWESTERN BELL by R.L. PORTER Acceptable Opposed Conditional  CONDITIONS  N.S.P. by Acceptable Opposed Conditional  CONDITIONS  Acceptable Opposed Conditional  CONDITIONS  Acceptable Opposed Conditional  CONDITIONS  Acceptable Opposed Conditional  CONDITIONS  Acceptable Opposed Conditional		
Acceptable Opposed Conditional CONDITIONS  NORTHWESTERN BELL by R.L. PORTER Acceptable Opposed Conditional CONDITIONS  N.S.P. by Acceptable Opposed Conditional CONDITIONS  Acceptable Opposed Conditional CONDITIONS	CITY ENGINEER by	Acceptable Opposed Conditional
CONDITIONS  NORTHWESTERN BELL by R.L. PORTER Acceptable Opposed Conditional CONDITIONS  N.S.P. by Acceptable Opposed Conditional CONDITIONS	CONDITIONS	
NORTHWESTERN BELL by R.L. PORTER Acceptable Opposed Conditional CONDITIONS  N.S.P. by Acceptable Opposed Conditional CONDITIONS	MINNEGASCO by	Acceptable Opposed Conditional
N.S.P. by Acceptable Opposed Conditional CONDITIONS		•
N.S.P. by Acceptable Opposed Conditional CONDITIONS	NORTHWESTERN BELL by R.L. PORTER	Acceptable Opposed Conditional
CONDITIONS	CONDITIONS A L. Porte	
4.4	N.S.P. by	Acceptable Opposed Conditional
	CONDITIONS	
COCATION Lots 1 and 2, Block 1, Crosstown Hill	de g	
	COCATION Lots 1 and 2, Block 1, Co	rosstown Hill

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

#### CITY OF EDINA 4801 W. 50TH STREET EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARINGS
ON VACATION OF EASEMENT FOR ROAD AND UTILITY PURPOSES
FOR PORTION OF AMUNDSON ROAD
AND

DRAINAGE AND UTILITY EASEMENT WITHIN LOTS 1 AND 2, BLOCK 1, CROSSTOWN HILL

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All of the 5 foot wide drainage and utility easement within Lots 1 and 2, Block 1, Crosstown Hill, lying Southeasterly of the 10 foot wide drainage and utility easement lying parallel with and abutting the Northwesterly line of said Lots 1 and 2 (drainage and utility purposes);

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BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg City Clerk

#### STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by	Acceptable Opposed Conditional
CONDITIONS	
MINNEGASCO byll M. John 3/28/83	Acceptable Opposed Conditional
CONDITIONS	•
NORTHWESTERN BELL by	Acceptable Opposed Conditional
CONDITIONS	
N.S.P. by	Acceptable Opposed Conditional
CONDITIONS	
LOCATION DRAW & UTIL ESMY 45 to LO	ots 142 Brock 1 Crosstown Hu
7,731	

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

#### CITY OF EDINA 4801 W. 50TH STREET EDINA, MINNESOTA 55424

## NOTICE OF PUBLIC HEARINGS ON VACATION OF EASEMENT FOR ROAD AND UTILITY PURPOSES FOR PORTION OF AMUNDSON ROAD

AND

DRAINAGE AND UTILITY EASEMENT WITHIN LOTS 1 AND 2, BLOCK 1, CROSSTOWN HILL

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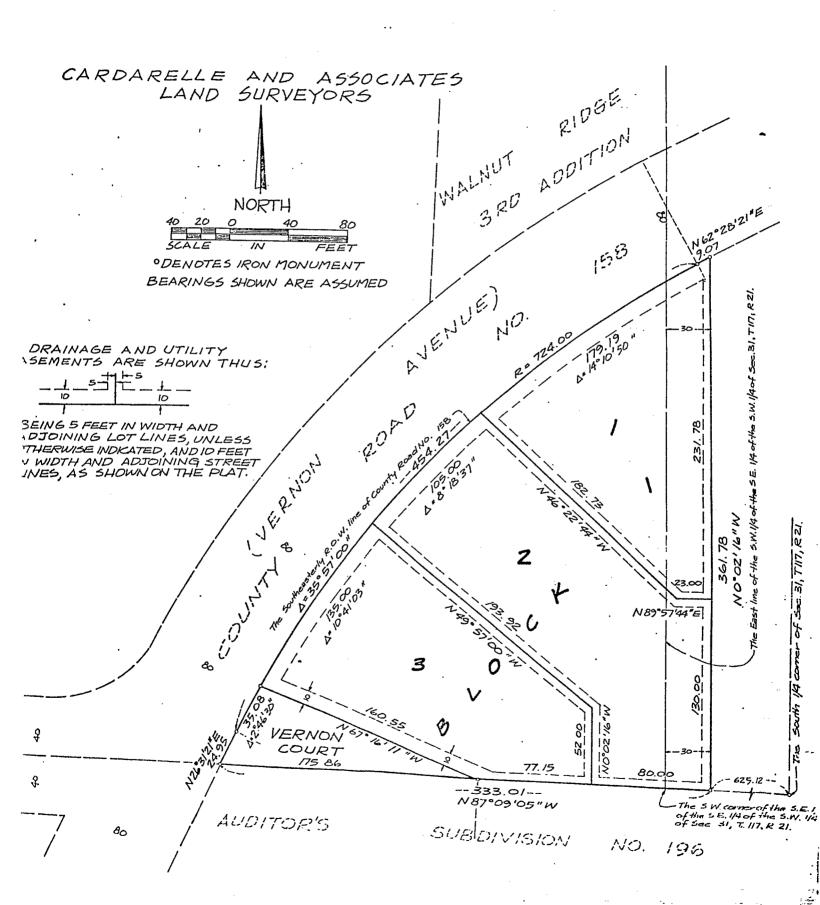
All of the 5 foot wide drainage and utility easement within Lots 1 and 2, Block 1, Crosstown Hill, lying Southeasterly of the 10 foot wide drainage and utility easement lying parallel with and abutting the Northwesterly line of said Lots 1 and 2 (drainage and utility purposes);

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BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg City Clerk

# CROSSTOWN HILL



STATE OF MINNESOTA ) COUNTY OF HENNEPIN ) CITY OF EDINA

#### AFFIDAVIT OF POSTING NOTICE OF HEARING

ON VACATION OF EASEMENT FOR DRAINAGE AND UTILITY PURPOSES

All of the 5 foot wide drainage and utility easement within Lots 1 and 2, Block 1, Crosstown Hill, lying Southeasterly of the 10 foot wide drainage and utility easement lying parallel with and abutting the Northwesterly line of said Lots 1 and 2 (drainage and utility purposes);

The undersigned, being first duly sworn, upon oath deposes and says that he is a duly appointed and acting Police Patrolman for the City of Edina, Hennepin County, Minnesota, and that on he posted the Notice of Hearing on street vacation above described to be held , a true and correct copy of which is hereto attached, at each of the following official City Bulletin Boards located at conspicuous places within the City in a manner likely to attract attention:

> One at Edina City Hall, 4801 W. 50th Street One at 50th and France Business Area - 3922 W. 50th Street One at Amundson Avenue Shopping Center - Northwest corner

of Parking Lot

Subscribed and sworn to before me this 25 day of

Notary Public, Hennepin County

Minnesota

My commission expires:

(Notorial Seal)

#### CITY OF EDINA 4801 W. 50TH STREET EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARINGS
ON VACATION OF EASEMENT FOR ROAD AND UTILITY PURPOSES
FOR PORTION OF AMUNDSON ROAD
AND

DRAINAGE AND UTILITY EASEMENT WITHIN LOTS 1 AND 2, BLOCK 1, CROSSTOWN HILL

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BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg City Clerk

STATE OF MINNESOTA ) COUNTY OF HENNEPIN ) SS CITY OF EDINA )	CERTIFICATE OF MAILING NOTICE				
I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date					
<u>Name</u>	Address				
	•				
WITNESS my hand and seal	of said City this day of				
<u>mare</u> , 19 83	•				

mailing Sist-hotice of Public Hearing Cosement Vacarion - Lots 1 + 2, Bl. 1 Crassiane Hells

Crosstaten Vill
Be, L. 1

J. J. Clmer-6103 antie Way

L. 2

n.s.r. h.w. Bell minnegaseo

. . -. . .

. . . . .

#### CITY OF EDINA 4801 W. 50TH STREET EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARINGS
ON VACATION OF EASEMENT FOR ROAD AND UTILITY PURPOSES
FOR PORTION OF AMUNDSON ROAD
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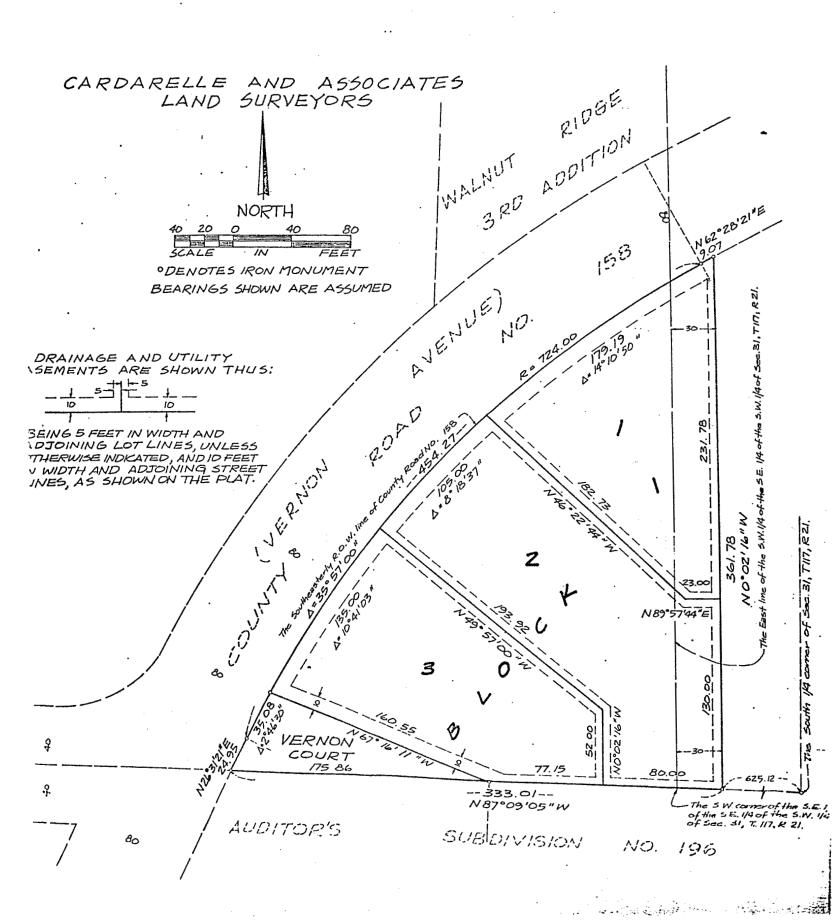
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BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg City Clerk

# CROSSTOWN HILL



#### CITY OF EDINA

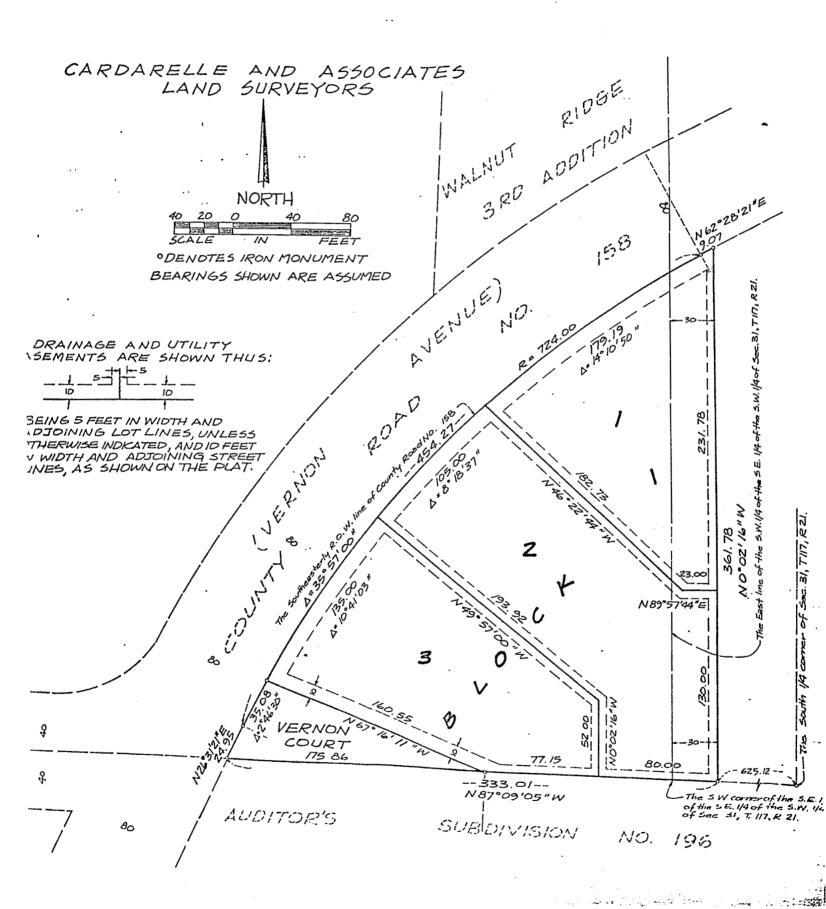
### PUBLIC RIGHT-OF-WAY VACATION APPLICATION

Da	te Initiated 2/14/	83	<b></b>			
1)	I hereby petition the City described public right-of-	Council of way:	the City of Ed	ina to vacate a	.11 of the follow	ing
	Street	Alle	ey .	Utility	Easement	
	Drainage Easement	Othe	er((	describe)		
Des	Loty / and	o be vacate	ed: Bloe	k)		<del></del>
(	rosstown	) /			•	·
Att	ach copy of scaled drawing	showing in	full detail the Signature Address Telephone	proposed vacated of the proposed vacated vacated of the proposed vacated of the proposed vacated of the proposed vacated of the proposed vacated vacat	amus Eln etic Wai	ner 1
2)	Review CITY ENGINEER by		Acceptable	Opposed	Conditional	L
	Conditions					
	MINNEGASCO by  Conditions		Acceptable	Opposed	Conditional	l
	N.W. BELL by		Acceptable	Opposed	Conditiona	1
	N.S.P. by		Acceptable	Opposed	Conditiona	 L
	Conditions			· · · · · · · · · · · · · · · · · · ·		

# Easement Vacation

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By BOL OK FRE



# CROSSTOWN HILL

